TOWN OF KURE BEACH'S SUPPLEMENTAL RESPONSES TO

MARK WILLIAMS' JUNE 30, 2026 PUBLIC RECORDS REQUEST

Item 1 — Contracts since January 1, 2022. Partially satisfied. The Flock Group, Inc. Law Enforcement Agreement for NC – Kure Beach PD, executed November 10, 2025, was provided. Whether any earlier or other ALPR or surveillance-camera vendor contract existed since January 1, 2022 remains unanswered.

RESPONSE: Other than what was originally produced, there are not any other public records held by the Town of Kure Beach ("Town") or the Kure Beach Police Department ("Police Department") that are responsive to this request.

Item 2 — Policy, SOP, directive, or training material. DEFICIENT. The only policy produced is Policy 426, "Automated License Plate Readers (ALPRs)," bearing a **DRAFT watermark and a Lexipol date of July 13, 2026** — thirteen days after my request and after every search reflected in the audits. **No training material was produced**, though the request expressly sought it and Policy 426.4(d) bars any member from operating the system without department-approved training.

RESPONSE: A copy of the Automated License Plate Readers policy that was adopted on January 27, 2026 is being produced herewith. All training was done online with the Flock Group such that are not any training-related public records held by the Town or the Police Department.

Item 3 — Data-sharing agreements, MOUs, or similar arrangements. NOT PRODUCED.

RESPONSE: Copies of the Town's MOU with the North Carolina State Bureau of Investigation and of the data sharing requests received by the Town/Police Department are being produced herewith.

Item 4 — Organization Audit, March 1 – May 31, 2026. DEFICIENT. Produced, but the user, case number, and plate fields are blank in all 825 rows. **If those fields were redacted or withheld, no statutory basis was cited; if the Department does not possess the information or cannot export it, please say so in writing.**

RESPONSE: A copy of the Organization Audit from March 1 through May 31, 2026, with the case number fields populated and the user and plate field redacted, is being produced herewith. The plate fields are redacted pursuant to N.C.G.S. § 20-183.32(e). The user fields are redacted pending the Town's request to enter into the same "narrowed request" agreement with Mr. Williams that he reached with New Hanover County as set forth in his June 18, 2026 letter to Karen Richards, Deputy County Attorney (hereinafter the "County Production Agreement"), a copy of which is attached hereto and incorporated herein by reference.

Item 5 — Network Audit, March 1 – May 31, 2026. NOT PRODUCED. Every row of the three audits provided reflects Org Name: Kure Beach NC PD — these are Organization audits responsive to Item 4. No Network Audit was produced and no basis for withholding was cited. This is the record showing which outside agencies have searched the Town's cameras.

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MARK WILLIAMS' JUNE 30, 2026 PUBLIC RECORDS REQUEST

RESPONSE: A copy of the Network Audit from March 1 through May 31 2026 is being produced herewith.

Item 6 — Event Log, March 1 – May 31, 2026. INCOMPLETE. The log reflects configuration changes only — hotlist entries and network share requests. It contains **no logins and no data-export events**, both expressly requested. Its User column is blank on every entry.

RESPONSE: A copy of the Event Log for March 1 through May 31, 2026 with data export events set forth therein, is being produced herewith. The user fields are redacted pending the Town's request to enter into the same agreement with Mr. Williams that he reached with New Hanover County as set forth in the attached County Production Agreement.

Item 7 — Current network/data-sharing configuration (State, Nationwide, Community, and custom). NOT PRODUCED.

RESPONSE: A screenshot of the Flock system's Nationwide data-sharing configuration settings is being produced herewith.

Item 8 — Number and general locations of ALPR cameras. DEFICIENT IN FORM. "Location, Agreement, Invoice, Project Summary" was produced as a **non-searchable image**. My request asked for electronic production, and § 132-6.2(a) permits a requester to obtain copies in any medium the agency is capable of providing — subject to § 132-6.2(e)'s limitation that an agency need not create a new record or place into electronic medium a record not kept electronically.

RESPONSE: Copies of the requested public records are being produced herewith. The PDF records responsive to this particular request were not created and maintained by the Town/Police Department as searchable electronic records and the Town does not need to create a new record in responding to this request.

Item 9 — Invoices, purchase orders, payment records since January 1, 2022. Not separately produced.

RESPONSE: The public records responsive to this request were produced on July 14, 2026 together with the other public records produced in response to the June 30, 2026 request.

RICE LAW, PLLC

Attorneys at Law · Wilmington, North Carolina

June 18, 2026

Karen Richards
Deputy County Attorney
New Hanover County — County Attorney's Office
230 Government Center Drive, Suite 125
Wilmington, North Carolina 28403

Sent via email [redacted] *cc* [redacted] *Renee Chesnut)*

Re: Public Records Request dated April 28, 2026 — Flock Group, Inc. Contract #25-0364; request to cure redaction of the Organization-Name field

Dear Karen:

I write regarding my public records request of April 28, 2026, concerning New Hanover County's contract with Flock Group, Inc. (Contract #25-0364), and the County's production of responsive records. Mr. Riley sent that production on June 11, 2026; because our email filter blocked the message, we received it on June 18, 2026. I appreciate the work the County and your office put into compiling the records. This letter asks the County to cure one defect in the production, narrows my request to reduce any burden, and asks the County to explain the basis for its redactions.

The redaction at issue. The produced search log contains 2,980,082 records. In every row, the Organization Name field — the identity of the agency that ran each search through the County's Flock network — is redacted to "***," as are officer names, license plates, and case numbers. In your correspondence you advised that the records were "redacted … as allowed by statute." I ask the County to reconsider that redaction as to a single field, and to identify the statute it relied upon.

Narrowed request. I do not seek officer identities, and I withdraw any request for them. I ask the County to produce the Organization Name field unredacted. If the County prefers a less granular form, I will accept, in descending order: (i) the agency name without any individual user; or (ii) for each searching organization, its name, its State, whether it is an in-State or out-of-State agency, and whether it is a law-enforcement agency. Any of these answers the central public question — which agencies, and from where, are querying New Hanover County residents' license-plate data — while disclosing no individual's identity. Whether each searcher is a law-enforcement agency is itself material: § 20-183.32(e) permits disclosure of captured plate data only to criminal-justice and law-enforcement officials, and the public is entitled to confirm that searches of the County's network came from agencies the statute allows.

Article 3D does not make agency-identifying information confidential. The only provision that makes ALPR data confidential is N.C. Gen. Stat. § 20-183.32(e), which reaches "captured plate data" — the plate reads themselves — not the identity of the agency that ran a search. I do not contest the County's redaction of the plate reads; § 20-183.32(e) supports it.

The statute's structure confirms the distinction: § 20-183.31(a) separately requires the agency's written policy to address the sharing of data with other agencies (a)(3), internal data security and access (a)(6), auditing and reporting of system use (a)(7), and accessing data from ALPR systems the agency does not operate (a)(8). Information about who accesses and shares the network is a matter of governance and oversight, distinct from captured plate data, and Article 3D nowhere makes it confidential.

The County may not withhold nonconfidential information. To the extent any field in the log is confidential, N.C. Gen. Stat. § 132-6(c) forbids withholding the rest: no request "shall be denied on the grounds that confidential information is commingled with … nonconfidential information," and the agency must separate the two at its own expense. Redacting the Organization Name across all 2.98 million rows withholds plainly nonconfidential information and does not satisfy that duty. Because Chapter 132 affords public access unless a record or agency is specifically exempted, and is construed in favor of access (N.C. Gen. Stat. §§ 132-1, 132-6), the County should identify the specific exemption it contends applies to the Organization Name field and state whether that exemption applies categorically or only to particular rows.

Section 132-1.4 does not support a categorical redaction. N.C. Gen. Stat. § 132-1.4 classifies records of criminal investigations and criminal intelligence as "not public records," but it does not make them confidential and leaves the agency free to disclose. Even if some individual queries were tied to a criminal investigation, the County must explain why the identity of the querying agency — separated from plate numbers, officer identities, case numbers, and other investigative content — falls within § 132-1.4 for every one of 2.98 million rows. If the County contends that it does, please identify the specific subsection relied upon and whether the claim is asserted categorically or row by row.

Buncombe County released the same field under the same framework. The County's treatment of this field differs from at least one sister agency's. Buncombe County released its Flock network-audit log with the Organization Name field intact, naming the outside agencies that searched its cameras, under the same statutory framework and the same vendor. A sister county's disclosure is not binding on New Hanover County, but it is persuasive evidence that disclosure is administratively feasible and that at least one North Carolina county has not treated this field as categorically confidential. If New Hanover County takes a different position, please identify the statutory basis and explain the factual or legal distinction.

Please explain the redactions, field by field. So the basis for the redactions is clear, please provide a field-by-field statement that, for each redacted field, identifies (a) the specific statutory provision relied upon, (b) whether the redaction is asserted categorically or row by row, and (c) whether the County contends disclosure is prohibited or merely not required. Please also state whether, in making these redactions, the County relied on a written opinion of the North Carolina Attorney General, a written legal memorandum, a redaction protocol, or instructions from the vendor, and if so, provide a copy. Your statement that the records were redacted "as allowed by statute" does not identify the provision relied upon, and I am entitled to know it.

ALPR policy, sharing records, and audit records. My April 28 request also sought the agencies with which the County shares, and from which it receives, ALPR and "hot list" data. The redacted log does not answer that request. Please produce the written ALPR policy required by

N.C. Gen. Stat. § 20-183.31(a) — including the portions addressing data sharing with other agencies and access to ALPR systems the County does not operate — the auditing and reporting records required by § 20-183.31(a)(7), and the sharing and receiving lists themselves. If any of these do not exist, please confirm that in writing. These oversight records are ordinarily far less sensitive than the raw query log and may independently answer the public-accountability question.

Format and field definitions. So the production is not ambiguous, please provide the field definitions or data dictionary for the export, in native electronic format, and confirm what the "Organization Name" field denotes — the agency that ran the search, the user's home agency, or the data owner.

Preservation. Please preserve, pending resolution of this request, the unredacted export, the field definitions and data dictionary, the system audit logs, the redaction protocol applied, and any correspondence with Flock Group or other agencies concerning these redactions.

Path forward. We seek to resolve these issues amicably and are glad to confer at your convenience. Please respond by July 2, 2026. Nothing in this letter waives, and I expressly reserve, all rights and remedies available under Chapter 132 and other law.

I understand you are on secured leave through June 24, and I have copied Mr. Riley and Ms. Chesnut so the request can be tracked in your absence. Please direct your response to me at the email below.

Very truly yours,

RICE LAW, PLLC

/s/ Mark Spencer Williams

Mark Spencer Williams
Managing Attorney
mwilliams@ricefamilylaw.com

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cc: Alex Riley, Communications Coordinator, New Hanover County Office of Communications; Renee Chesnut, Paralegal, County Attorney's Office